

Entered - 09/14/00 - sb  
CL 00L0560 - GWENDOLYN BURNS

00- *R*-1719

CLAIM OF: Tevish S. Clark  
605 Windsor Street, #A-11  
Atlanta, Georgia 30312

For vehicular damages alleged to have been sustained as a result of a  
automobile collision with a city vehicle on August 25, 2000 at 230  
Cleveland Avenue, SW.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION  
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action  
of the Department of Law be approved in authorizing payment to  
**Tevish S. Clark** the sum of **\$2,000.00** in full settlement and  
satisfaction of all claims, past, present and future, of every kind and  
character for damages alleged to have been sustained as a result of  
automobile collision on August 25, 2000 at 230 Cleveland Avenue, SW  
as is more particularly set forth in the within claim; said sum taken from  
and charged to account 1A01/529017/T31001, Settlement of Suits and  
Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

VORABLE REPORT  
*Public Safety*  
*10/31/00*

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 00L0560

Date: October 20, 2000

Claimant /Victim TEVISH S. CLARK  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 605 Windsor Street, #A-11, Atlanta, Georgia 30312  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 5,083.83 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 9/13/00 Method: Written, Proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 8/25/00 Place: 230 Cleveland Avenue, SW  
Department POLICE Division \_\_\_\_\_  
Employee involved Anthony Gilley Disciplinary Action: Pending Review

**NATURE OF CLAIM:** Claimant's vehicle sustained damage when it was struck by a City vehicle that was in the process of pursuing a subject.

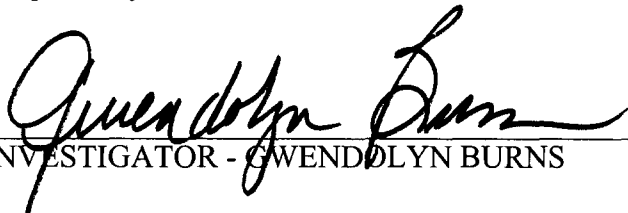
**INVESTIGATION:**

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police X Dept Report \_\_\_\_\_ Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

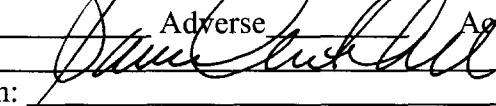
**BASIS OF RECOMMENDATION:**

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement X  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - GWENDOLYN BURNS

**RECOMMENDATION:**

Pay \$ 2,000.00 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager:  Concur/date 10-20-00  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 9/8/2000

BURNS  
09/13/00  
P

09-15-00 ENTERED - 9-14-00 - SB  
00L0560 - GWEN BURNS

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ \_\_\_\_\_ property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 8 25 2000 (month/day/year) 2. Time of Incident: 9-10 pm 3. Police called: ☒ Yes ☐ No
4. Location of incident (including street address): Cleveland Ave. K-mart
5. Name of your insurance company: SAFeway Policy No. 89663
6. State what and how incident occurred: I was turning in K-mart lot when I noticed a police van coming behind me at a rapid speed, I stopped my vehicle to let the van proceed on. He tried to squeeze by me, stating that he didn't see me
7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!
8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).
- Your vehicle: Ford Taurus SHO 93 867 XBF Terish Clark  
(Make) (Year) (Tag Number) (Driver's Name)
- City vehicle: \_\_\_\_\_  
(Make) (City Driver's Name) (Department/Bureau)
9. Witness: Shquandra Johnson 380 martin st (4) 223-0803  
(Name) (Address) (Telephone Number)
10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).
11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Terish Clark  
Signature of Claimant

Terish S. Clark  
(Print Claimant's Name)  
605 Windsor st. # A-11  
(Address)  
Atlanta, Ga. 30312  
(City, State and Zip Code)  
(4) 243-5506 (4) 586-0560  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0560

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND NO/100  
       DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,  
I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,  
its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and  
expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly  
for or on account of a vehicular accident  
which occurred on or about the 25th day of August, 2000,  
at or near 230 Cleveland Avenue.

It is further understood and agreed that the payment of the above named sum is not to be considered as an  
admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the  
undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents,  
servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers,  
agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment  
of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by  
said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this  
instrument.

WITNESS my hand and seal this 10<sup>th</sup> day of Oct., 20 00.

Tevish S. Clark (LS)  
TEVISH S. CLARK

The above release was read and explained to, and signed by the said Tevish S. Clark

       in our presence on the date above written.

Rosa Clark  
Hakiah Clark  
WITNESSES

00-R -1719